

***Superseded 7/1/2015***

**26-42-107 Allocation of civil penalties.**

Civil monetary penalties collected under this chapter shall be allocated as follows:

- (1) if a local health department conducts an adjudicative proceeding under Section 26-42-104, the penalty shall be paid to the treasurer of the county in which the violation was committed, and transferred to:
  - (a) the local health department if it conducts a civil hearing under Section 26-42-104 alone; or
  - (b) in equal portions to the local health department and the other agencies that participated in the hearing process;
- (2) if the state Department of Health conducts a civil hearing under Section 26-42-104, the penalty shall be deposited in the state's General Fund, and may be appropriated by the Legislature to the state Department of Health for use in enforcement of this chapter; and
- (3) if the civil penalty involves suspension or revocation of a license to sell tobacco under Section 59-14-203.5 or 59-14-301.5, half of the penalty shall be paid to the commission, and the other half shall be allocated under Subsection (1) or (2), as appropriate.